

BY-LAWS
OF THE
MUTUAL FIRE INSURANCE COMPANY
OF PRESCOTT.

PASSED 1st JUNE, 1860.

The Directors of the Mutual Fire Insurance Company of Prescott in pursuance and in exercise of the power vested in them by the Act of the Canadian Legislature, intituled "An Act respecting Mutual Insurance Companies," enact as follows:

1. The corporate name of this company is and shall be "The Mutual Fire Insurance Company of Prescott;" and the corporate seal of this company bears and shall bear the inscription, "Mutual Fire Insu. Co. of Prescott, C.W."

2. The annual meeting of the members of this Company shall be held in the Town Hall, in Prescott, on the first Monday in June in every year, at the hour of two o'clock in the afternoon, or in such other place and at such hour as the majority of the Directors for the time being shall direct and appoint; and at such annual meeting, a board of nine Directors shall be elected in such manner as the statute directs, and the Directors so elected shall manage the affairs of the Company.

3. The Directors, as soon as may be after the annual election, shall proceed to elect, from their own number, a President and three managing Directors,

all of whom shall hold their respective offices until others are elected in their places. Such elections shall be by ballot.

4. The managing Directors shall meet at least once in every week, at such time as they deem advisable, and in case at any time appointed for meeting, one or more of the managing directors be absent, then the present Director or directors may call in any other director or directors of the Company, not exceeding two in number, and transact business in the same way as if the full board of managing Directors were present.

5. The Directors shall hold their meetings for the transaction of business, at least once a month, at the office of the Secretary, in the town of Prescott, at the hour of two o'clock in the afternoon, or at such other hour as may be found convenient; and three directors shall be a quorum for the transaction of the business of the Company. The Secretary upon any urgent occasion, may in his discretion call an extraordinary meeting of the Directors.

6. At all meetings of the Directors, the President shall preside, and in his absence a President, *pro tempore*, shall be chosen from the Directors present. And when there is an equality of votes at any sitting of the Board of Directors, the presiding officer shall have a casting vote.

7. It shall be the duty of the Secretary to keep a record of the proceedings of the Directors; to preserve the premium notes and applications for insurances, and all other papers coming into his hands necessary to be preserved; to keep a record of all Policies of Insurance, Transfers, Alterations, Assignments and Surrenders; to answer all communications on the business of the Company; to receive the advance

premiums, and pay the same to the Treasurer; to keep regular accounts between the Company and its agents; to report quarterly to the Directors the amount due the Company from its agents; the amount collected by him during the quarter, and the amount drawn on the Treasurer; and to perform all other duties pertaining to his office. Before entering on the duties of his office, he shall give a Bond to the Company in the sum of two thousand dollars, with two good and sufficient sureties in one thousand dollars each, to the satisfaction of the Directors, conditioned for the faithful discharge of the duties of his office. The Secretary may (whenever the business of the company requires it) employ a competent assistant or deputy, and shall be allowed a reasonable sum to pay for such assistance.

8. It shall be the duty of the Treasurer to receive and keep all moneys belonging to the Company; to pay all orders drawn on him signed by the Secretary, out of the moneys in his hands belonging to the Company; to make and file with the Secretary, quarterly, a report of the state of the Treasury, if required; the amount received by him; the amount paid out during the quarter. Before entering on the duties of his office, he shall give a Bond to the Company in the sum of two thousand dollars, with two good and sufficient sureties in one thousand dollars each, to the satisfaction of the Directors, conditioned for the faithful discharge of the duties of his office.

9. It shall be the duty of the managing directors to examine into the affairs of the Company; to audit and pay all losses not exceeding four hundred dollars; to audit all accounts presented for payment; to audit and settle the accounts of the Secretary and other officers; to approve or reject the bonds of agents, and

the applications of any person or persons to become insured by the Company. They shall also have power to revoke the powers of any agent, and to order his Bond to be prosecuted, upon such notice as they shall deem expedient; to cancel or surrender policies of assurance when ever they see fit—provided however, that the transactions of the managing Directors shall be subject to revision and correction by the Board of Directors at any regular meeting thereof.

10. Every agent shall give a Bond to the Company in the sum of eight hundred dollars with two good and sufficient sureties in two hundred dollars each, to the satisfaction of the managing Directors, conditioned for the faithful discharge of the duties of his office.

11. It shall be the duty of the agents to send a monthly statement of their accounts to the Secretary, containing the name of each person insured, and the amounts received; and to pay over to the Secretary all moneys in their hands due the Company on the first day of each month.

12. It shall be the duty of the officers and directors of this Company to present all accounts they may have against the Company at the close of each quarter, for approval of the managing Directors, to be paid by the Company.

13. The hours of business of the Company at Prescott, shall be from ten o'clock, a.m., to three o'clock, p.m.

14. No single risk shall be taken for a larger amount than four thousand dollars; nor for a smaller amount than one hundred dollars.

15. All persons insured by this Company and sustaining loss or damage by fire, are forthwith to give notice thereof in writing, to the Secretary, and within

thirty days after such loss or damage; to deliver to the Secretary a particular account thereof, in writing, signed by them, and verified by their oaths or affirmation; also, if required, to produce and submit for examination their books of account and vouchers. And they shall also declare, on oath or affirmation, whenever any and what other insurance has been made on the same property; and shall also declare on oath or affirmation, what is their interest in the property insured, and if there be any and what incumbrances on it. And in case of any fraud or false swearing, or affirming, the claimant shall forfeit all claims he may have by virtue of his Policy.

16. No allowance shall be made for loss or damage by fire on jewels, plate, plated ware, medals, pictures, family paintings, sculpture or musical instruments, except pianos (which shall be considered as household furniture) unless specially mentioned within Policy, but no allowance is to be made in any case for gilding, historical or landscape painting, stucco or carved work.

17. A payment of twenty five per cent on the amount of the Premium note shall be made before the issuing of the Policy, together with five shillings for each Policy, and two shillings and sixpence for survey.

18. When insurance is required on more than one building in the same Policy, the amount on each must be named, also the amount on furniture, goods, grain, &c., &c.

19. Not more than two thirds of the estimated cash value of buildings or other property shall be insured by this Company.

20. Every person effecting insurance in this company shall before he receives his policy, deposit his promissory note with the Directors, payable to the said

company, for the said sum of money, as the Board of Directors shall determine—and when the insurance is for a period of twelve months and under, the whole of said note shall be paid immediately, but when the insurance is for a longer period than twelve months, twenty five per cent shall be paid on said note and the remainder shall be payable as the board shall direct.

21. No insurance shall be made by this company for a term of more than three years nor for a shorter period than one month.

22. All promissory notes given by this Company shall be signed by the President and Secretary, and shall have the seal of the Company affixed thereto and shall be made in accordance with the statute—as regards the amount and time for which they shall be drawn. And all notes given under this By-law shall be notes of the Company and the President and Secretary shall be free from personal liability thereon.

23. The following shall be the rules for passing By-laws—Leave shall be first obtained to introduce the proposed By-law which shall then be read and may receive three readings in the same day, and in reading a By-law for the second and third time it shall not be necessary to read more than the title of the same.

Every By-law or set of By-laws so passed shall be signed by the President and Secretary, and shall have the seal of the Company affixed thereto and be dated on the day on which the same was passed.

24. If the insured change the business carried on in his building from a low to a high class, he must give notice thereof within a reasonable time to the Secretary and if any person erect a building within sixty feet of any building on or in which this Company has a risk, or if the occupation of the premises be changed

so as to render the risk more hazardous, the like notice shall be given stating the distances which the buildings are from one another, and fully describing within sixty feet of the risk, and the Company may allow the same on such terms as they deem reasonable.

25. Whenever any alterations or additions shall be made to any buildings insured or made within sixty feet of any building insured, notice of the alterations together with a description thereof must be given to the Secretary and in the event of the Managing Directors considering the hazard increased they may require an additional premium note and cash premium for such sum as they deem just and a minute thereof shall be entered on the back of the Policy and signed by the Secretary, and if the managing directors deem it advisable they may cancel the Policy on the usual terms.

26. Whenever any one hereafter insured shall alienate, conditionally or by mortgage, or otherwise dispose of the property which he has insured with this Company, the Policy shall be void unless notice in writing of such alienation or disposal be given to the Secretary—stating the interest of the assignee, or mortgagee, and the Managing Directors may, if they see fit, give the assent of the Company, to such alienation or disposal and on such terms as they deem just—or they may cancel the Policy.

27. When buildings are mortgaged at the time they are insured, the mortgagee may have the Policy assigned to him in his signing the Premium note or a guarantee therefor or on giving security to the satisfaction of the managing directors for the amount of the same, and a minute of such assignment shall be entered in the Policy Register.

28. The Managing Directors may whenever they deem it expedient in part or *in toto* cancel or revoke any Policy issued by this Company, and such cancellation or revocation shall take effect at the expiration of thirty days after the Secretary shall serve or cause to be served upon the insured a written or printed notice of such revocation or cancellation a copy or duplicate of which notice shall be filed in the office of the Secretary, and the insured shall be subject to the same liabilities to the Company as though he she or they had surrendered the Policy; but all liabilities for subsequent losses shall cease at the expiration of the said thirty days after such notice.

29. Whenever any Policy issued by this Company shall be cancelled at the request of the insured or by his act, alienation or default, no part of the per centage or original premium shall be refunded him.

30. The By-laws of this company shall not be altered or modified without the consent of a majority of the Directors at a regular authorized meeting of the Board.

31. All communications to the Company shall be addressed to the Secretary and post paid, and when relating to a Policy the number of the Policy must be given.

32. This By-law shall be in force and take effect from the first day of June in the year of our Lord one thousand eight hundred and sixty, and all By-laws hitherto passed for the management of the affairs of this Company and all By-laws and parts of By-laws inconsistent with this By-law or any section thereof shall be, and the same are hereby repealed.

JAMES REYNOLDS,

Secretary.

WM. GARVEY,

President.

C. J. HYNES, BOOK & JOB PRINTER, PRESCOTT.